

FILED

Clerk

District Court

DEC 11 2023

for the Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

ÖZCAN GENÇ, HASAN GÖKÇE, and  
SÜLEYMAN KÖŞ, on behalf of themselves  
and all others similarly situated,

Plaintiffs,  
v.

IMPERIAL PACIFIC INTERNATIONAL  
(CNMI), LLC and IMPERIAL PACIFIC  
INTERNATIONAL HOLDINGS LTD.,

Defendants.

Case No. 1:20-cv-00031

**ORDER SETTING  
SETTLEMENT CONFERENCE**

At the September 28, 2023, hearing on Plaintiffs Özcan Genç, Hasan Gökçe, and Süleyman Köş's Motion for Entry of Partial Default Judgment on Breach of Contract claim against both defendants based upon a third-party beneficiary theory of the IPI-IDS contract (ECF No. 77) and the supplemental briefs filed by the parties (ECF Nos. 94, 95), Plaintiffs withdrew their Motion for Entry of Partial Default Judgment. (Mins., ECF No. 98.)

Because the breach of contract claim was still pending, and Plaintiffs were uncertain of their next course of action, the Court set a deadline of October 31, 2023, for Plaintiffs to either file their amended complaint, notice of declination, or amended spreadsheet and declarations in support of their default judgment motion. (*Id.*)

Plaintiffs filed their Notice Regarding Amended Complaint informing the Court and IPI that they are not filing an amended complaint. (ECF No. 100.) Subsequently, a few minutes past

1 the Court-imposed deadline of October 31, 2023, Plaintiffs filed the Declaration of F. Mert  
2 Öztuna in Support of Amended Damages Spreadsheet (“Decl. & Am. Spreadsheet,” ECF No.  
3 101) without any motion. The Court accepted the late filed Declaration. (Order, ECF No. 104.)  
4 In Plaintiffs’ Declaration and Amended Spreadsheet, it does not clearly identify the filing, which  
5 is being amended, but does reference the previously filed Motion for Entry of Partial Default  
6 Judgment on Breach of Contract Claim—which Plaintiffs have already withdrawn. (Decl. & Am.  
7 Spreadsheet 1.) Based on the Court’s review of the record, the only pending matters in this case  
8 are the breach of contract claim under the Letters of Commitment, as well as the issue raised by  
9 Plaintiffs’ Notice of Withdrawal of Opt-Out Requests (ECF No. 99).

10  
11 Recently, the parties filed a Joint Request for Settlement Conference (ECF No. 105) on  
12 December 8, 2023, to resolve this case as well as the employment discrimination class action in  
13 *Genc v. Imperial Pacific International (CNMI), LLC*, No. 1:22-CV-00002. **For good cause**  
14 **shown, these two actions are hereby set for a settlement conference before Magistrate**  
15 **Judge Heather L. Kennedy on January 19, 2024, at 8:30 a.m. (See *Genc v. Imperial Pac. Int'l***  
16 **(CNMI), LLC**, No. 1:22-CV-00002, ECF No. 64.) The parties are ordered to appear for the  
17 settlement conference.

18  
19 In the event the parties are unable to resolve this case completely after a settlement  
20 conference, Plaintiffs are ordered to refile their notice and motion for partial default judgment  
21 with all supporting documents which will be calendared for a hearing according to L.R. 7.1(c)(1).

22 IT IS SO ORDERED this 11<sup>th</sup> day of December 2023.

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RAMONA V. MANGLONA  
Chief Judge